

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.24231 of 2015

1.Gopal
2.Sarath
3.Lakshmi

.. Petitioners

Vs.

1. State rep. By
The Deputy Superintendent of Police,
Villupuram,
Villupuram District.

2. The Inspector of Police,
Kedar Police Station,
Villupuram,
Villupuram District.
Crime No.68/2015

.. Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the learned Principal District Sessions Judge cum Additional Sessions Judge Special Court for SC/ST cases, Villupuram to consider the petitioners bail application and dispose the bail application on the same day, if the petitioners surrender before learned Principal District Sessions Judge cum Additional Sessions Judge Special Court for SC/ST cases, Villupuram in Crime No.68 of 2015 on the file of the respondents.

For Petitioners :: Mr.K.Chandrasekaran

For Respondents :: Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The learned counsel for the petitioners submits that the petitioners have come forward with this petition seeking for a direction to the learned Principal District Sessions Judge cum Additional Sessions Judge Special Court for SC/ST cases, Villupuram to consider the bail application of the petitioners on the same day on their surrender in Crime No.68 of 2015 pending on the file of the respondents.

2. The learned counsel for the petitioners also submits that the petitioners have been implicated in this case for the alleged offences under Sections 294(b), 323 & 506(i) of IPC r/w 3(i)(x) (POA) of SC & ST Act 1989 and that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come forward with the said prayer.

3. The learned Additional Public Prosecutor takes notice for the respondents.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioners cannot move any anticipatory bail, the learned Principal District Sessions Judge cum Additional Sessions Judge Special Court for SC/ST cases, Villupuram is directed to consider the bail application, in the event of the petitioners filing such petition in Crime No.68 of 2015 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day.

With this observation, this petition is disposed of accordingly.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,
Villupuram,Villupuram District.
2. The Inspector of Police,
Kedar Police Station,
Villupuram, Villupuram District.
3. The Principal District Sessions Judge
cum Additional Sessions Judge
Special Court for SC/ST cases
Villupuram.
4. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.K.Chandrasekaran, Advocate SR 52549

gp(co)
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